



FUEL OIL NON AVAILABILTY REPORT

Submitted to Environmental Protection Agency on May 20th, 2013

On behalf of AET Inc Limited, we would like to notify the US Coast Guard and Environmental Protection Agency that our vessel the Eagle Birmingham (IMO # 9123192 / Singapore flagged) will be operating in the North America ECA zone with non compliant IFO 380 onboard.

The vessel has been on charter hire with Phillips 66 and recently loaded low sulphur fuel at an offshore lightering area with OW Bunkers as the supplier of record. Although the fuel shows a 0.94% sulphur level, the fuel is very high in sediment which is resulting in the purifiers to clog up about every 5 hours. The high sediment is causing an excessive amount of sludge deposits and is requiring the engine room staff to disassemble the purifier, scrap and clean the internal components, reassemble the purifier, and restart the onboard fuel treatment system.

We have tried several onboard fixes; however, we have come to the conclusion that the fuel is not safe to burn in the engine and in order to avoid any potential safety issues are recommending to have the fuel offloaded from the vessel. Phillips 66 has made arrangements to secure additional low sulphur fuel at the next port of call which is Lake Charles

In the meantime, we are asking for a waiver from the EPA to utilize the current fuel high sulphur fuel which was received at AMA anchorage on March 1st, 2013 which has a sulphur level of 3.01%

I am attaching the last Bunker Delivery Receipt (BDR) showing the sulphur level of the high sulphur IFO onboard, photos of the sludging, independent lab results from DNV showing the fuel is off specification, and the Q88 for the vessel.

I certify under penalty of law that the statements and information made herein are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to 18 USC 1001.

Best regards,

Robert Love / AET Inc Limited

Bunker Manager - Global Bunker Procurement

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